REMARKS

Favorable reconsideration of this application in light of the following discussion is respectfully requested.

Claims 33-69 are presently active in this case. The present Amendment amends Claims 33, 42-46, and 65-66; and adds new Claims 67-69 without introducing any new matter.

The outstanding Office Action objected to the specification because of informalities. Claims 33-38 and 56-66 were rejected under 35 U.S.C. §102(b) as anticipated by Gaudet et al. (U.S. Patent No. 6,421,348; herein "Gaudet"). Claims 39-55 were indicated as allowable if rewritten in independent form.

Applicants acknowledge with appreciation the indication of allowable subject matter. In response, new Claim 67 is presented, reciting all the features of independent Claim 33, intervening Claim 36 and allowable dependent Claim 39, to thereby be in condition for allowance.

Claim 33 is amended to further recite that the connecting interface includes a physical layer and a logical layer, and that the probe unit is "configured to observe data between the physical layer and the logic layer." This feature finds non-limiting support in the disclosure as originally filed, for example at page 8, lines 1-20.

Claims 42-46 and 65-66 are amended to correct a minor formal issue. Since the changes to Claims 42-46 and 65-66 are merely formal in nature, they are not believed to raise a question on new matter.

To vary the scope of protection recited in the claims, new Claims 68-69 are added. New Claim 68 depends upon Claim 33 and recites "the monitoring unit is further configured to determine whether an address of a destination grid of the data does not correspond to the port analyzed by the respective monitoring unit," and finds non-limiting support in the

disclosure as originally filed, for example at page 11, lines 9-16 with corresponding Figure 2. New Claim 69 depends upon Claim 33 and recites "the probe unit is further configured to separately observe data transmitted from the physical layer to the logic layer, and data transmitted from the logic layer to the physical layer," and finds non-limiting support at page 8, lines 1-20, and in Figure 2. Therefore, the new claims are not believed to raise a question of new matter.[1]

In light of the amendments to independent Claim 33, Applicants respectfully request reconsideration of the rejection of Claims 33-38 and 56-66 under 35 U.S.C. §102(b), and traverses the rejection, as discussed next.

Briefly recapitulating, Claim 33 relates to a monitoring device for a multichannel numeric switch, wherein the switch includes a connecting interface for connecting physical connection circuits to a transmission medium, defining at least one of source and destination ports, the connecting interface including a physical layer and a logical layer, and a processing unit for carrying out selective switching of multifield data grids between the different ports. The device for monitoring includes: a probe unit coupled selectively to the connecting interface, ***configured to observe data between the physical layer and the logic layer***, and a monitoring unit configured to analyze contents of at least part of the data grids probed by the probe unit, and configured to generate a warning signal when the part analyzed does not meet a selected condition.

As explained in Applicants' specification on page 8, lines 1-10, the claimed invention improves upon background monitoring devices, since it advantageously observes data of the connecting interface from the physical layer to the logical layer, and *vice versa*, thereby observing numeric data that is identical to data in the grids that are switched.

[1] See MPEP 2163.06 stating that "information contained in any one of the specification, claims or drawings of the application as filed may be added to any other part of the application without introducing new matter."

Turning now to the applied reference, Gaudet describes a network switch able to allocate required bandwidth, wherein an incoming frame of data is divided into cells. The cells are subsequently sent based on source identification field read from each cell.[2] Gaudet further explains that the bus interface 138 transfers data received from the FIFO 134 to the switch bus 150, and that the bus interface 138 accesses look-up engine 136 whether to accept data from the switch bus. However, Gaudet fails to teach or suggest a probe unit coupled selectively to the connecting interface, configured to observe data between the physical layer and the logic layer, as recited in amended, independent Claim 33. It seems from Gaudet that the bus interface analyses data that is exiting the data exchanger 110, before being fed into switch data bus 150 and the switch arbitration 152.[3] Therefore, in Gaudet, the bus interface, or any other element of Gaudet, ***are not*** configured to observe data between the physical layer and the logic layer.

Consequently, in view of the present amendment, no further issues are believed to be outstanding in the present application, and the present application is believed to be in condition for formal Allowance. A Notice of Allowance for Claims 33-69 is earnestly solicited.

[2] See Gaudet in the Abstract, and at column 2, lines 23-33.
[3] See Gaudet in Figure 1, and at column 4, lines 9-32.

Should the Examiner deem that any further action is necessary to place this application in even better form for allowance, the Examiner is encouraged to contact Applicants' undersigned representative at the below listed telephone number.

Respectfully submitted,

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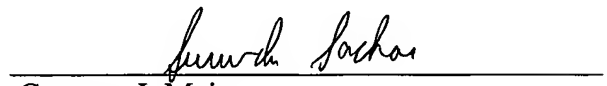

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